

**Applicant: Wurz et al.
Application No.: 09/766,815**

REMARKS

Claims 28-46 are currently pending in this application. By the foregoing amendment, claims 2-27 have been cancelled and new claims 28-46 have been added. Applicants respectfully submit that no new matter is added to the application by this amendment.

Each independent claim (i.e., claims 28 and 39) requires that the light from a light source and the field of view of the detector use the same selected facet on a mirrored wheel, among other elements. None of the references cited in the outstanding rejections discloses the above feature. Accordingly, Applicants respectfully submit that for at least the above reason claims 28-46 are patentable over the prior art of record.

Applicants respectfully request that the Examiner reconsider and withdraw all of the rejections in the outstanding office action in light of the new claims.

If any additional matters need to be addressed to place this application in condition for allowance, the Examiner is respectfully invited to contact the undersigned, by telephone, at the Examiner's convenience.

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In view of the foregoing Amendment and Remarks, Applicants respectfully submit that the present application, including claims 28-46, is in condition for allowance and a notice to that effect is respectfully solicited.

Respectfully submitted,

Wurz et al.

By


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